

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JANUARY 25, 1993  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:11 p.m. Mayor Golding adjourned the meeting at 3:16 p.m. to convene in Closed Session in the 12<sup>th</sup> floor Conference Room on Tuesday, January 26, 1993 at 9:00 a.m., to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Stevens-present  
(5) Council Member Behr-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council District 8-vacant  
Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:  
(M) Mayor Golding-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Stevens-present  
(5) Council Member Behr-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council District 8-vacant

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Father Keith Acker, All Saints Episcopal Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
Behr's son, Brandon Behr.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding leader's responsibility  
to obey their own laws.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A015-120.)

COUNCIL COMMENT:

ITEM-CC-1:

Comments by Council Member Behr regarding the ground  
breaking event for the Mira Mesa Library.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A121-130.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:  
12/28/92 Adjourned  
12/29/92 Adjourned  
01/04/93  
01/05/93  
01/05/93 Special  
01/11/93

01/12/93

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A131-037.)

MOTION BY McCARTY TO APPROVE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-31: (R-93-1082) ADOPTED AS RESOLUTION R-281343

Designating Saturday, January 30, 1993, as "Captain Jim Sing Day" in the City of San Diego, and wishing the best to Captain Jim Sing as he leaves for early retirement.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A038-188.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-32: DENIED HEARING

Matter of the request of John and Mary Gilliland, et al, for a hearing of an appeal from the decision of the Planning Commission approving a Coastal Development Permit, CDP-92-0249, to demolish an existing one-story, single-family home and construct a new one-story, single-family residence. The project, a 4,562-square-foot house, is located at 5840 Ravenswood Road and is described as Lot 8, Map-3782, La Jolla Butterfield Estates. The R-1-8000 zoned site is within the La Jolla Community Plan Area.  
(CDP-92-0249. District-1.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM-CDP-92-0249

COUNCIL ACTION: (Tape location: A123-171.)

MOTION BY WOLFSHEIMER TO DENY THE HEARING AND UPHOLD THE DECISION OF THE PLANNING COMMISSION AND THE LA JOLLA COMMUNITY PLANNING GROUP. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, District 8-vacant, Mayor Golding-yea.

\* ITEM-50: (O-93-105) ADOPTED AS ORDINANCE O-17887 (New Series)

Conditionally rezoning 7.1 acres (Allred-Collins Business and Industrial Park East) located on the north side of Copley Park Place, east of Convoy Street, described as a portion of Lot 78, Rancho Mission of San Diego, Map-348, to the M-1A Zone.

(Rezone-90-0377. Serra Mesa Community Area. District-5. Introduced on 1/12/93. Council voted 8-0. District 8 vacant.)

FILE LOCATION: ZONE - ORD. NO.

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-51: (O-93-103) ADOPTED AS ORDINANCE O-17888 (New Series)

Amending Chapter VII, Article 1, Division 1, of the San Diego Municipal Code by amending Section 71.0103, relating to Transportation Demand Management Program Phasing.

(Introduced on 1/11/93. Council voted 8-0. District 8 vacant.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-52: (O-93-92 Cor. Copy) ADOPTED AS ORDINANCE O-17889  
(New Series)

Amending Chapter X, Article 3, Division 15, of the San Diego Municipal Code (Section 103.1504, Subsection J) extending for two years the demolition review procedure currently required in the Mid-City Communities Planned District Ordinance.

(Portions of Districts 2, 3, and 6. Introduced on 1/12/93.  
Council voted 6-0. Districts 2 and 5 not present.  
District 8 vacant.)

FILE LOCATION: LAND - MID CITY PLANNED DISTRICT

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-53: (O-93-97) CONTINUED TO FEBRUARY 2, 1993, 10:00 A.M.

Amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by amending Section 101.0463, relating to regulations affecting certain property within Single Family Residential Zones.  
(Introduced on 1/12/93. Council voted 8-0. District 8 vacant.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO CONTINUE THE ITEM TO FEBRUARY 2, 1993, AS REQUESTED BY THE CITY MANAGER TO ALLOW FOR

PROPER NOTICING. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-100: (R-93-917) ADOPTED AS RESOLUTION R-281345

Awarding a contract to J. Fife Construction for Construction of San Ysidro Community Activity Center; authorizing the expenditure of \$100,000 from CIP-37-183.0, San Ysidro Community Activity Center Improvement, DIF Fund No. 79518, to supplement the funding authorized by Resolution R-280574, adopted on September 14, 1992, for said project and related costs. (BID-K3362/93)  
(San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The San Ysidro Community Activity Center is a 14,00 square foot building located at 179 Diza Road in the San Ysidro Community Planning Area. The building was acquired from the San Diego Boys and Girls Club in 1987. CIP-37-183.0, San Ysidro Community Activity Center, was to provide site improvements around the building and to remodel the interior. The gymnasium floor began showing signs of stress while the project plans were being prepared. A soils investigation has determined that the building is on fill that is consolidating and the soil movement is causing significant cracks in the gym floor. The solution to the problem is the construction of concrete piers that extend through the fill material and support the building's foundation. This work requires the demolition and removal of the gym floor. The project will provide a new foundation under the gym, a new hardwood gym floor, a new ceiling in the gym, a small children's play area, a multi-purpose court, a new weight room and remodeling of the restrooms to make them accessible for the disabled. Five bids were received on September 29, 1992. The lowest bid, submitted by J. Fife Construction, was \$389,528. It was \$45,528 over the estimate of \$344,000. Additional project financing has been identified and the award of a construction contract is recommended.  
Aud. Cert. 9300627.

FILE LOCATION: CONT - J. FIFE CONSTRUCTION CONT  
FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-101: (R-93-841) ADOPTED AS RESOLUTION R-281346

Awarding a contract to El Cajon Ford for the purchase of 114 Police Patrol Cars (1993 Ford Crown Victoria Police Interceptor) for a total cost of \$1,271,106.60, including tax, terms, and trade-in allowance, as follows:

TRADE-IN EQUIPMENT			
Quantity	Description	Unit Allowance	Extension
26 each	1987 Ford Crown Victoria 4-door sedan, V/8, white	\$1,500.00	\$39,000.00
24 each	1988 Ford Crown Victoria 4-door sedan, V/8, b&w	\$2,200.00	\$52,800.00
28 each	1989 Ford Crown Victoria 4-door V/8, black & white	\$2,400.00	\$67,200.00
15 each	1990 Ford Crown Victoria sedan, V/8, black & white	\$2,600.00	\$39,000.00
TOTAL TRADE-IN ALLOWANCE:			\$198,000.00

Authorizing the expenditure of not to exceed \$1,271,106.60 from Fund No. 100, Department No. 110, Organization Nos. 200, 305 and 386, Object Account No. 6010, and Job Order Nos. 111475, 111292 and 111515, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C3505/93)

Aud. Cert. 9300617.

FILE LOCATION: CONT - PURCHASE - El Cajon Ford CONT  
FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-102: (R-93-842) ADOPTED AS RESOLUTION R-281347

Awarding a contract to San Diego's House of

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Motorcycles, for the purchase of 12 Police motorcycles (1993 Kawasaki KZ 1000) for a total cost of \$87,390.79, including tax and terms, less trade in allowance, as follows:

Trade In Equipment	Description	Unit Allowance	Allowance Extension
2 each	1983 Kawasaki 1000C	\$1,023.00	\$2,046.00
2 each	1985 Kawasaki 1000C	\$1,189.00	\$2,378.00
1 each	1986 Kawasaki 1000C	\$1,320.00	\$1,320.00
	Total Trade In Allowance:		\$5,744.00

Authorizing the expenditure of not to exceed \$87,390.79 from Fund No. 100, Department No. 110, Organization No. 305, Object Account No. 6010, and Job Order No. 111290, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C3514/93)  
Aud. Cert. 9300613.

FILE LOCATION: CONT - PURCHASE - San Diego's House of  
Motorcycles CONT FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-103: (R-93-847) ADOPTED AS RESOLUTION R-281348

Awarding a contract to Simon Ladder Towers, Inc., for the purchase of one each 100-foot tractor-drawn aerial device for a total of \$565,436.45, including tax and a 5 percent contingency cost; authorizing the expenditure of not to exceed \$565,436.45 (\$499,778, terms net 30 days, plus sales tax, and a contingency cost amount not to exceed \$24,989, plus sales tax) from CIP-330760, Fire Station No. 43-Otay Mesa, Fund No. 39062, Otay Mesa-Fac. Dev. Fund for above project and related costs; authorizing the City Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-H2764/92)  
Aud. Cert. 9300649.



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COUNCIL ACTION: (Tape location: A185-388.)

\* ITEM-104: (R-93-845) ADOPTED AS RESOLUTION R-281349

COUNCIL ACTION: (Tape location: A185-388.)

\* ITEM-105: (R-93-500) ADOPTED AS RESOLUTION R-281350

Aud. Cert. 9300635.

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FILE LOCATION:                   CONT - PURCHASE - Hewlett-Packard  
  Company   CONFY93-1

COUNCIL ACTION:               (Tape location:   A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT.   Second by Wolfsheimer.  
Passed by the following vote:   Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-106:       (R-93-846)               ADOPTED AS RESOLUTION R-281351

Awarding a contract to Emergency Medical Products, Inc., for  
the purchase of medical supplies, as may be required for a  
period of one year beginning December 15, 1992 through  
December 14, 1993, for an estimated cost of \$54,541,  
including tax and terms, with an option to renew the  
contract for one additional one year period, with price  
escalation not to exceed 4 percent of bid prices in effect  
at the end of the prior contract period.  
(BID-I3490/93)

FILE LOCATION:                   CONT - PURCHASE - Emergency Medical  
  Products, Inc.               CONT FY93-1

COUNCIL ACTION:               (Tape location:   A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT.   Second by Wolfsheimer.  
Passed by the following vote:   Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-107:       (R-93-843)               ADOPTED AS RESOLUTION R-281352

Awarding a contract to Pac West Land Care Inc. for  
furnishing complete landscape maintenance of the  
designated medians, rights-of-way, landscaped slopes  
and perimeter banks within Park Village Estates  
Landscape Maintenance District, as may be required for  
a period of one year beginning January 1, 1993 through  
December 31, 1993, for a total estimated cost of  
\$47,047.81, including tax and terms, with options to  
renew the contract for four additional one year  
periods, with increases not to exceed 6 percent of the  
prices in effect in each prior period; in the event the  
Contractor does not perform to specifications, the

Purchasing Agent is authorized to terminate the contract and award to the next low responsive and responsible bidder and to subsequent bidders, if necessary, until a bidder is found who performs to specifications. (BID-C3492/93)  
(District-1.)

FILE LOCATION: CONT - PURCHASE - Pac West Land Care  
Inc. CONFY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-108: CONTINUED TO FEBRUARY 8, 1993

Three actions relative to Construction of Water Main  
Group 508:  
Mid-City Community Area. District-7.)

Subitem-A: (R-93-914)

Inviting bids for Construction of Water Main Group 508  
on Work Order No. 181521; authorizing the execution of  
a contract with the lowest responsible bidder;  
authorizing the expenditure of \$1,882,401 from Water  
Revenue Fund 41502, Water Construction Outlay (70592),  
CIP-73-083, and \$27,175 from Sewer Revenue Fund 41506,  
Sewer Construction Outlay (70492), CIP-44-001, for  
providing funds for said project and related costs;  
authorizing the Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, to the appropriate reserves.  
(BID-K3587/93)

Subitem-B: (R-93-915)

Authorizing the use of City Forces to isolate and make  
connections to the existing water system in connection  
with Construction of Water Main Group 508; declaring  
that the cost of the work shall not exceed \$137,279.

Subitem-C: (R-93-916)

Certifying that the information contained in Mitigated

Negative Declaration and Mitigation Monitoring and Reporting Program DEP-90-0485, dated March 10, 1992, in connection with Construction of Water Main Group 508, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Water Main Group 508 includes the installation of approximately 1,391 feet of 8-inch water mains and 236 feet of 8-inch sewer main to replace existing deteriorated facilities in the Mid-City community area; and the installation of approximately 6,850 feet of 24-inch water mains along 58th Street, between El Cajon Boulevard and University Avenue, to enhance the presently deficient water distribution system by increasing the flow capacity between the San Diego State University and College Grove Area. This project will alleviate stoppages and breaks in the existing sewer and water systems, and will provide more reliable sewage collection and efficient water distribution service for this service area well beyond the foreseeable future.

Aud. Cert. 9300451.

WU-P-93-037.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO CONTINUE THE ITEM TO FEBRUARY 8, 1993, AS REQUESTED BY COUNCIL MEMBER McCARTY, TO GIVE THE NEW PLANNING GROUP AN OPPORTUNITY FOR REVIEW. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-109: (R-93-913) ADOPTED AS RESOLUTION R-281353

Inviting bids for the Construction of Traffic Signals and Street Lighting at Buenos Street and Morena Boulevard on Work Order No. 112052; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$120,000 from CIP-68-001.0, Annual Allocation - Cooperative Signal Projects, TransNet Fund 30300, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the

administering department, to retain excess budgeted funds, if any, in CIP-68-001.0.  
(BID-K3584/93)  
(Linda Vista Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program Project to install a traffic signal system provides for the safe passage of emergency equipment, pedestrians, and vehicles through the intersection. Traffic signal features include protected left-turn pockets on Morena Boulevard and emergency vehicle preemption equipment on Buenos Street and Morena Boulevard.  
Aud. Cert. 9300619.

FILE LOCATION: W.O. 112052 CONT - Knox Electric, Inc.  
CONT FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-110: (R-93-912) ADOPTED AS RESOLUTION R-281354

Inviting bids for the Construction of Arizona Street Storm Drain on Work Order No. 119784; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$25,000 from CIP-112590, Market Street Storm Drain, Fund No. 30300, to CIP-170030, Annual Allocation - Seepage Problems, Fund No. 30300; authorizing the expenditure of not to exceed \$98,114 from CIP-170030, Fund 30300 (TransNet Fees), for the purpose of executing this contract and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-K3565/93)  
(North Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Capital Improvement Project CIP-170032 provides for the design and construction to reconstruct the existing storm drain in the alley adjacent to Arizona Street between Landis and Wrightman Streets to alleviate local flooding in the alley.  
Aud. Cert. 9300583.

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FILE LOCATION: W.O. 119784 CONT-Robert L. Fox General  
Building Contractor CONT FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-111: (R-93-918) ADOPTED AS RESOLUTION R-281355

Rejecting all bids received on July 23, 1992, and  
inviting bids for Sidewalk and Curb Replacement on  
Various City Streets - FY-92(C-8); authorizing the  
execution of a contract with the lowest responsible  
bidder. (BID-K3221/92A)

CITY MANAGER SUPPORTING INFORMATION: Council originally  
approved specifications and authorized the Purchasing Agent to  
advertise for bids on June 25, 1992. Bids were received on July  
23, 1992 and Schaefer Construction Company was the apparent low  
bidder. Because of a spending freeze for 1992 and 1993 Gas Tax  
funds, we were unable to award the contract to Schaefer  
Construction Company in July 1992. Because of the delay in  
funding this contract, Schaefer Construction Company no longer  
wants the contract. Therefore, it is recommended that all bids  
be rejected and the project be readvertised. An accelerated  
sidewalk replacement program was started in FY90. The program  
was funded by the increase in Gasoline Tax passed by voters in  
proposition III. Since the start of the program \$1,500,000 will  
have been used for contractual labor with the completion of  
approximately 1,650 jobs. This action, which is the second of  
three FY 92 contracts proposes the expenditure of \$300,000 and  
the completion of approximately 300 jobs.  
Aud. Cert. 9300624.

FILE LOCATION: CONT - Sidewalk and Curb Replacement on  
Various City Streets FY-92(C-8)  
CONT FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-112: (R-93-919) ADOPTED AS RESOLUTION R-281356

Rejecting all bids received on the Expansion and Modernization of the Master Traffic Signal Control System, pursuant to publication of notice calling for bids on April 27, 1992.  
(BID-K3120/92)

CITY MANAGER SUPPORTING INFORMATION: Bids for the Expansion and Modernization of the Master Traffic Signal Control System were authorized April 27, 1992 by Resolution R-279817 with an approved project budget of \$568,700. The low bid, from Fischbach and Moore, came in at \$781,190. There are not sufficient funds to cover the cost of the low bid, which is \$212,490 over budget. Therefore, the City Manager recommends rejecting all bids. Staff is working with the design consultant to alter the system design to utilize less costly hardware such that the project can be completed within budget while still meeting the City's traffic management needs.

FILE LOCATION: W.O. 119421

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-113: (R-93-1051) ADOPTED AS RESOLUTION R-281357

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company, an easement for poles, wires, cables, appurtenances and underground facilities for the transmission and distribution of electricity in a portion of Rancho San Bernardo.  
(San Pasqual Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego is presently constructing an Aquatic Treatment Facility in the San Pasqual Valley that will reclaim up to one million gallons of wastewater per day. Included in this construction is the upgrading of Pump Station 77 located at 18308 West Bernardo Drive. The Pump Station is being upgraded to handle the increased flow from the new facility. As part of this upgrading, SDG&E has been requested by the City to relocate existing and install new S-power poles on the property. The easement will be

approximately 12 feet in width and 582 feet in length across the Lake Hodges Watershed, between Smoke Signal Drive and West Bernardo Drive.

FILE LOCATION: DEED F-5957 DEED FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-114: (R-93-691) ADOPTED AS RESOLUTION R-281358

Authorizing the City Manager to enter into exclusive negotiations with the adjacent owner, San Diego Trust and Savings Bank, for the sale of 873 square feet of City-owned property on Bonita Road southwest of Willow Street in the City of Chula Vista, being a portion of Quarter Section 73, Rancho de la Nacion (Site 744). (County of San Diego. See City Manager Report CMR-92-335.)

FILE LOCATION: DEED F-5958 DEED FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-115: (R-93-982) ADOPTED AS RESOLUTION R-281359

Vacating Ingelow Street, southeast of Plum Street, adjacent to Lot 11 and Lot 12, Block 71 of Map-165, under the procedure for the summary vacation of streets. (Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation has been requested by the abutting property owners in order to increase security in the area and so they may take over landscaping and maintenance of the area from the City. The subject vacation is located in the Peninsula Community planning



area and is located in an R1-5000 Zone and totals 9,450 square feet in area (0.217 acres). The applicants propose to use the area for landscaping and for private driveways to their homes. The applicants have voluntarily imposed a building restriction easement over the entire area to be vacated. Under the terms of this agreement, the vacated area could not be utilized for floor area ratio calculations or any permanent structures. Because of these restrictions, no additional development entitlements would result from this vacation. The Peninsula Community Planning Board and the Planning Department have no objections to this vacation. The Planning Commission recommended approval by a vote of 6-0 on February 27, 1992, with the added recommendation that a pedestrian easement be reserved. A subsequent field review by staff revealed that existing topography would require significant improvements and disturbance of native vegetation in order to implement a pedestrian walkway. In addition, only residents in the immediate neighborhood would potentially use the pedestrian access, and a poll of property owners within 300 feet of the vacation revealed that nearly all prefer the area not be accessible, for security reasons. Therefore, staff recommends that a pedestrian easement not be retained and the vacation be approved as originally proposed. The area-of-vacation is unimproved right-of-way but does contain public utilities and franchise facilities for which easements must be reserved. There is also a small concrete drainage channel within the vacation area for which an easement must be reserved. The area is not needed for access or traffic circulation. However, because of the terrain, which precludes the possibility of an adequate turnaround, a mutual access agreement has been obtained from the owner at 3340 Ingelow Street in order to accommodate the owner at 3330 Ingelow Street.

FINDINGS: Staff review has indicated that the vacation is consistent with the General Plan, the adopted community plan, and Council Policy 600-15 and may be summarily vacated. The right-of-way is not required for present or prospective public use, and the facilities for which it was originally acquired will not be detrimentally affected. The public will benefit from the vacation through improved utilization of the land, relieving the City of maintenance and liability responsibilities, and increased security in the area. The area will also serve as a private open space since the applicants have agreed to a building restriction easement over the area-of-vacation.

FILE LOCATION: DEED F-5959, STRT J-2788 DEED FY93-1

COUNCIL ACTION: (Tape location: A478-B097.)

MOTION BY McCARTY TO ADOPT. Second by Behr. Passed by the

following vote: Wolfsheimer-yea, Roberts-not present,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-116: (R-93-980) CONTINUED TO FEBRUARY 23, 1993

Authorizing the City Manager to initiate proceedings for the issuance of a Resolution of Intention for the improvement of Groveland Drive between 53rd Street and 54th Street, under the provisions of the San Diego Municipal Code and the Improvement Act of 1911; directing the City Manager to prepare plans, drawings, typical cross-sections, profiles, and specifications for Groveland Drive between 53rd Street and 54th Street, together with estimates of the costs and expenses of the work and to furnish Council with a description of the district to be included in the assessment for the work and improvements.  
(See City Manager Report CMR-93-12. Valencia Park Community Area. District-4.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO CONTINUE THE ITEM TO FEBRUARY 23, 1993, AS REQUESTED BY THE CITY MANAGER. Second by Wolfsheimer. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-117: (R-93-1033) CONTINUED TO FEBRUARY 23, 1993

Authorizing the City Manager to initiate proceedings for the issuance of a Resolution of Intention for the improvement of 69th Street between Mallard Street and Klauber Avenue, under the provisions of the San Diego Municipal Code and the Improvement Act of 1911; directing the City Manager to prepare plans, drawings, typical cross-sections, profiles, and specifications for 69th Street between Mallard Street and Klauber Avenue, together with estimates of the costs and expenses of the work and to furnish Council with a description of the district to be included in the

assessment for the work and improvements.  
(See City Manager Report CMR-93-11. Encanto Community  
Area. District-4.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO CONTINUE THE ITEM TO FEBRUARY  
23, 1993, AS REQUESTED BY THE CITY MANAGER. Second by  
Wolfsheimer. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant,  
Mayor Golding-yea.

\* ITEM-118: (R-93-1059) ADOPTED AS RESOLUTION R-281360

Resolution of Intention to acquire approximately 18.72  
acres of Los Penasquitos Canyon Preserve-North No. 8  
for the San Diego Open Space Park Facilities District  
No. 1.  
(North City Future Urbanizing Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Los Penasquitos Canyon  
Preserve is priority number 1 on the Council's adopted open space  
retention list. It is also identified as "high priority for  
acquisition" in Manager's Report No. P-92-253 addressing  
preservation of the Del Mar Mesa in the North City Future  
Urbanizing Area. This 18.72 acre parcel is at the end of a  
large finger canyon northeast of the Newland tradeland property,  
and consists of mainly canyon slope, bottom, and mesa. On  
September 15, 1986, Council approved an acquisition plan for this  
and other land, along with funds to have it appraised for  
purposes of acquisition for open space. Further, on June 1,  
1987, Council established priorities for the acquisition plan  
which identified this area as the number eight priority. Since  
available funds are not adequate to proceed with all of the  
parcels included in this priority, we are returning to Council  
for approval of funds in order of established priorities.  
Funding is now available for the acquisition of this parcel.  
Also, this parcel is intended to serve as the first parcel in a  
"mitigation bank," which is an open space acquisition strategy  
discussed in Report P-92-253. Acquisition and management costs  
would be calculated on a per acre basis, and future applicants  
needing off-site mitigation would reimburse the "bank" for their  
prorated share. An existing interest-bearing account would hold  
the funds collected until sufficient funds have been accrued for  
another parcel acquisition. No further public funding will be

needed for the "mitigation bank."  
Aud. Cert. 9300577.

FILE LOCATION: STRT OS-23

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-119:

Two actions relative to Subdivision Agreements:  
(See City Manager Report CMR-92-346.)

Subitem-A: (R-93-1122) ADOPTED AS RESOLUTION R-281361

Amending Council Policy 600-21 regarding Subdivision  
Agreements.

Subitem-B: (R-93-1123) ADOPTED AS RESOLUTION R-281362

Amending Council Policy 800-11 regarding Partial  
Release of Performance Bonds and Other Types of  
Sureties.

COMMITTEE ACTION: Reviewed by TPE on 11/23/92. Recommendation  
to approve the City Manager's recommendations for amending  
Council Policies 600-21 and 800-11 and the City Manager's  
procedure on Subdivision Agreement time extensions contained in  
CMR-92-346, with a minor modification as follows: Policy  
600-21-I-A-4: "4. In the opinion of the City Manager there are  
no unusual circumstances which require Council Action." Policy  
800-11: "All partial releases may be approved by the City  
Manager if there are no unusual circumstances which require  
Council action." Districts 1,5, and 6 voted yea.  
Districts 4 and 7 not present.

CITY MANAGER SUPPORTING INFORMATION: On November 23, 1992 the  
Transportation, Planning and Environment Committee unanimously  
approved Manager's Report No. 92-346. This report recommended  
delegation of approving time extensions and partial release of  
sureties for Subdivision Improvement Agreements to the City  
Manager. Staff, with consultation from the City Attorney's  
office, amended Council Policies 600-21 and 800-11 to  
accommodate the Manager's recommendation. This action, which is  
in harmony with the permit streamlining process, is the first of

many more to come before Council in the near future. This recommended action will reduce the number of routine items to be considered by City Council on a weekly basis. It will save a substantial amount of time and money, therefore reducing the cost of development. Authorization of these amendments is recommended.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A-185-388; A400-448.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-120: (R-93-1062) ADOPTED AS RESOLUTION R-281363

Designating Tuesday, December 15, 1992 as "Hyatt Regency Day" in San Diego; and congratulating and wishing the best to Doug Manchester and the staff of the Hyatt Regency San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-121:

Six actions relative to authorizing Suggestion Awards to the following City employees:

Subitem-A: (R-93-1052) ADOPTED AS RESOLUTION R-281364

Jocelyn S. Wujick - Police Department - \$340.

Subitem-B: (R-93-1053) ADOPTED AS RESOLUTION R-281365

Benjamin Lopez - Water Utilities - \$751.80

Subitem-C: (R-93-1054) ADOPTED AS RESOLUTION R-281366

Paul Redden - Police Department - \$45.

Subitem-D: (R-93-1055) ADOPTED AS RESOLUTION R-281367

Robert F. Saunders - General Services/Equipment - \$500.

Subitem-E: (R-93-1056) ADOPTED AS RESOLUTION R-281368

Matt Debeliso - Water Utilities/Engineering - \$320.

Subitem-F: (R-93-1057) ADOPTED AS RESOLUTION R-281369

Karl Kierulff - Park & Recreation/Central - \$1,154.10.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-122: (R-93-1100) ADOPTED AS RESOLUTION R-281370

Excusing Councilmember Ron Roberts from attending the  
afternoon portion of the regularly scheduled afternoon  
Council meeting of January 5, 1993, in order to attend  
a 2:00 p.m. meeting of the Justice Facility Financing  
Agency.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-123: (R-93-1005) ADOPTED AS RESOLUTION R-281371

Excusing Councilmember Valerie Stallings from attending  
the Special Council meeting of December 2, 1992, due to  
City business relating to the Clean Water Program.

FILE LOCATION: MEET CONT FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-124: (R-93-1034) ADOPTED AS RESOLUTION R-281372

Authorizing the City Manager to accept and expend a  
donation of \$10,000 from the James Hervey Johnson  
Charitable Educational Trust, which will be used to  
purchase promotional supplies for the Police Department  
Drug Abuse Resistance Education Program (DARE);  
expressing gratitude on behalf of the City and the  
Police Department to the James Hervey Johnson  
Charitable Educational Trust for their donation to the  
DARE Program.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Police  
Department Drug Abuse Resistance Education (DARE) Program has  
been selected by the James Hervey Johnson Charitable Educational  
Trust Foundation to receive a cash donation of \$10,000 for the  
purchase of DARE Education Guides, Water Bottles, and T-Shirts.  
The purpose of the Trust is to promote abstinence from drugs,  
alcohol, and tobacco. Materials purchased with this donation  
will be used in accordance with this purpose.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-125: (R-93-825) ADOPTED AS RESOLUTION R-281373

Authorizing the City Manager to charge a \$15.00 per day  
"Organ Pavilion Unattended Display Fee."  
(See City Manager Report CMR-92-352. Balboa Park  
Community Area. District-3.)

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for the Regular Meeting of Monday, January 25, 1993**

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-126: (R-93-1099) ADOPTED AS RESOLUTION R-281374

Authorizing the expenditure of an amount not to exceed  
\$160,000 from Facilities Benefit Assessment (FBA) Fund  
79001, CIP-52-360.0, for payment of California  
Department of Transportation invoice No. 11067463 for  
continued engineering work on the Nobel Drive/I-805  
project.

(University City Community Area. Districts-1 and 5.)  
Aud. Cert. 9300633.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-ineligible.

\* ITEM-127: (R-93-981) ADOPTED AS RESOLUTION R-281375

Authorizing the City Auditor and Comptroller to  
transfer an amount not to exceed \$17,391 from the  
Planetarium Construction Fund 97800 to CIP-37-426.0,  
Planetarium Chiller Installation.

(Balboa Park Community Area. District-3.)  
Aud. Cert. 9300568.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,



McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-128: (R-93-1064) ADOPTED AS RESOLUTION R-281376

Authorizing the payment of principal and premium on a lost registered bond for the City of San Diego 1915 Act Limited Obligation Bond, Certificate Number W074, Calle Cristobal Assessment District No. 4013, Bond Series 3668, Par Value \$5,000.00, called September 2, 1992, which has been lost, destroyed or wrongfully taken.

CITY MANAGER SUPPORTING INFORMATION: The City Treasurer's Department has been notified that registered bond for Calle Cristobal Assessment District No. 4013, Bond Series 3668, Bond Number W074, in the amount of \$5,000.00, called for early maturity on 09/02/92, was never received by the registered bond holder when purchased from the brokerage firm and that the bond cannot be presented for payment as required. In order to make payment for the lost bond and call premium, the City Council must authorize such payment. A Lost Securities Bond for twice the face value of the bond has been received, indemnifying the City against possible loss due to such action. An Affidavit of Lost, Stolen, or Destroyed Securities has also been received.

FILE LOCATION: STRT D-2258

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-129: (R-93-1074) ADOPTED AS RESOLUTION R-281377

Establishing a two-hour parking time limit, effective between the hours of 8:00 a.m and 6:00 p.m., Saturdays, Sundays and certain holidays excepted, for the following areas in the Ocean Beach Business Improvement District: Santa Monica Avenue (both sides) from Cable to Abbott Streets; Niagara Avenue (both sides) from Sunset Cliffs Boulevard to the western terminus of Niagara Avenue; Abbott Street (east side) and Bacon Street (both sides) from Santa Monica to Newport Avenues; Sunset Cliffs Boulevard (west side) from just

north of Santa Monica Avenue to just south of Niagara Avenue; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of the signs.

(Ocean Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Ocean Beach Business Improvement District and the Ocean Beach Merchants Association has requested the proposed two-hour time limit parking zone as part of the district's comprehensive on-street parking plan. Studies at each requested location in the district indicate the average parking occupancy to be between 75 percent and 95 percent and the average parking duration to be between 3 and 4.5 hours. The described locations in the district are adjacent to existing two-hour time limit parking zones that receive a high level of enforcement. This meets the requirements of Council Policy 200-4. Therefore, this parking restriction is recommended for implementation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-130: (R-93-778) ADOPTED AS RESOLUTION R-281378

Adopting a revised Conflict of Interest Code for the City of San Diego's Civil Service Commission.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-131: (R-93-1038) ADOPTED AS RESOLUTION R-281379

Adopting the Conflict of Interest Code for the City of  
San Diego-La Jolla Underwater Park Committee.

CITY MANAGER SUPPORTING INFORMATION: The Political Reform Act of 1974 (Government Code Section 87300, et. seq.) requires all agencies to prepare and submit for approval a Conflict of Interest Code to their legislative body. Council Resolution Number R-275742, adopted on May 21, 1990, requires all City advisory boards, commissions and ad hoc committees created for a duration of one (1) year or more by statute, charter, ordinance, resolution, or other formal action of the City Council, to have conflict of interest codes and to file Statements of Economic Interest (Form 730). The San Diego - La Jolla Underwater Park Committee was established by Council Ordinance No. O-10374 on August 27, 1970. The City Attorney's office has reviewed the proposed Code for the San Diego - La Jolla Underwater Park Committee and has determined that it conforms to the standards set by the Fair Political Practice Commission. The San Diego - La Jolla Underwater Park Committee adopted this Code at its September 24, 1992 meeting.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-132: (R-93-1049) ADOPTED AS RESOLUTION R-281380

Adopting the Conflict of Interest Code for the City of  
San Diego's Mission Trails Regional Park Task Force.

CITY MANAGER SUPPORTING INFORMATION: The Political Reform Act of 1974 (Government Code Section 87300, et seq.) requires all agencies to prepare and submit for approval a Conflict of Interest Code to their legislative body. On May 21, 1990, San Diego City Council adopted Resolution Number R-275742 that requires all City advisory boards, commissions and committees created by the Council to adopt a Conflict of Interest Code and that all members of such groups file Statements of Economic Interest (Form 730). The Mission Trails Regional Park Task Force was established by Council Resolution Number R-218325 on May 5, 1977. The Code adopted by the Mission Trails Regional Park Task Force on November 16, 1992 consists of two basic parts. The body contains the basic provisions required by the Political Reform

Act. The appendices list designated positions and disclosure categories for these positions. The Code has been reviewed and approved by the Task Force. The City Attorney's office has reviewed this document also and determined that it conforms to the standards set by the Fair Political Practices Commission.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-133: (R-93-1015) ADOPTED AS RESOLUTION R-281381

Adopting the revised Conflict of Interest Code for the City of San Diego's Old Town San Diego Planned District Design Review Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-134:

Two actions relative to Conflict of Interest/Financial Disclosure:

Subitem-A: (R-93-606) ADOPTED AS RESOLUTION R-281382

Amending the Conflict of Interest Code for the City of San Diego's Waste Management Department.

Subitem-B: (R-93-607) ADOPTED AS RESOLUTION R-281383

Adopting the Conflict of Interest Code for the City of San Diego's Waste Management Advisory Board.

CITY MANAGER SUPPORTING INFORMATION: Pursuant to Section 87300 of the Political Reform Act (Gov. Code 87300), the Waste

Management Department is submitting its revised Conflict of Interest Code for Council approval since the Council sits as the local "code reviewing body" (see Gov. Code 82011). The only change is the addition of one position. Also submitted is the Conflict of Interest Code for the City Waste Management Board, which was reviewed and approved by the Board on June 20, 1991.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-135: (R-93-706) ADOPTED AS RESOLUTION R-281384

Adopting a Conflict of Interest Code for San Ysidro Revitalization Project, Inc.  
(San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The City Council of the City of San Diego is requested to adopt a resolution approving the Conflict of Interest Code for the San Ysidro Revitalization Project, Inc. The SYRP board has reviewed and adopted this code by resolution dated September 3, 1992. A list of the San Ysidro Revitalization Project, Inc., Board Members and the Executive Director who will submit Statements of Economic Interests are: Irene Stallard, President, Michael Freedman, Bruce Tabb, Sister Nora Murphy, Manuel Paul, Alberto Perez, Victor Estrada, Tony Gomez, Ken Clark, and Michael Hebert, Executive Director.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-136: (R-93-1081) ADOPTED AS RESOLUTION R-281385

Authorizing the execution of an agreement with Milford Wayne Donaldson, FAIA, Inc., for professional

architectural and engineering services necessary to reconstruct the Balboa Park House of Hospitality; authorizing the expenditure of an amount not to exceed \$1,130,800 from San Diego Facilities and Equipment Leasing Corporation Fund 91101, CIP-21-834.0, to provide funds for the agreement, each succeeding authorization to supplement previous authorizations, to be expended in the following manner: \$771,000 from the Balboa Park/Mission Bay Park Certificates of Participation Phase IA; \$154,200 from the Balboa Park/Mission Bay Park Certificates of Participation Phase IB, contingent upon issuance of said COPs; and \$205,600 from the Balboa Park/Mission Bay Park Certificates of Participation Phase IC, contingent upon issuance of said COPs.

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves upon advice from the administering department.

(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The adopted Balboa Park Master Plan identifies a project to demolish and reconstruct the House of Hospitality. This project will include design of a new building consisting of a basement and two stories above grade that will be constructed essentially within the footprint of the existing structure. The new building exterior will faithfully replicate the size, shape and ornamentation of the existing building. Occupancy, access and circulation of the building will accommodate multiple tenants including but not necessarily limited to:

- |                                |                           |
|--------------------------------|---------------------------|
| - House of Hospitality         | - Arts Commission         |
| - Restaurant Operator          | - Young Audiences         |
| - Information Center/Gift Shop | - Starlight Theater       |
| - Police Storefront            | - Park Management/Rangers |

The Architect will provide full engineering and architectural services for the preparation of plans and specifications, periodic monitoring during construction and preparation of record drawings upon completion.

Aud. Cert. 9300648.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-137: (R-93-1125) ADOPTED AS RESOLUTION R-281386

Authorizing the execution of a fourth amendment to the agreement of September 15, 1986, with Architects Richard Bundy and David Thompson for professional services required for the Alvarado Filtration Plant - Joint Laboratory and Training Facility; authorizing the expenditure of \$30,000, consisting of \$18,000 from CIP-73-257.0, Water Revenue Fund 41500 and \$12,000 from CIP-46-123.0, Sewer Revenue Fund 41506 for this purpose; authorizing the City Manager to finance or refinance this project with tax exempt securities if circumstances so warrant.  
(Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: Council authorized an agreement with Ralph Bradshaw/Richard Bundy & Associates on September 15, 1986 (RR-266599) to provide professional services for the Water Utilities Joint Laboratory and Training Facilities at the Alvarado Filtration Plant site for a total contract cost not to exceed \$630,220. There have been three amendments to the agreement for a total of \$161,710. The fourth amendment to the agreement will provide additional services due to the following: 1) The contract and the original fees were negotiated in 1985. The contract included bi-weekly meetings and work with a single resident engineer. The consultants are now working for Water Utilities through the Engineering-Science, Inc. construction manager which has increased their workload beyond their contractual obligations. Retaining a construction manager has definitely helped the City in controlling the construction costs, quality of the constructed buildings, etc., but it has added a level of paperwork, additional field meetings and additional coordination; 2) The cost of doing business has substantially increased (approximately 35 percent) since 1985. However the scope of projects has expanded considerably which includes the cost of rebidding these projects in order to obtain contract compliance. Architectural contracts usually span one to three years unless otherwise stated but this contract has gone beyond this time span without any further compensation; and 3) The awarded contracts were 30.03 percent below estimates. The low bids which were beneficial to the City, created an atmosphere wherein the general contractors are expending extraordinary

amounts of time looking at change orders or simple changes which are not related to the work they have done and this has created much more work for the consultants. It is important to expend the hours necessary to defend the City against these claims and change requests, but consultants need to be compensated for the additional work.

Aud. Cert. 9200976.

WU-U-92-107.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-138:

Two actions relative to the rerouting of existing 8-inch and 10-inch sewer mains crossing Harbor Drive: (Barrio Logan Community Area. District-8.)

Subitem-A: (R-93-272) ADOPTED AS RESOLUTION R-281387

Authorizing the execution of an agreement with Chevron U.S.A., Inc., for removal and replacement of sewer mains on Harbor Drive; authorizing the expenditure of an amount not to exceed \$117,187.18 from Sewer Revenue Fund 41506, CIP-44-001.0, Annual Allocation for Sewer Main Replacement, to provide funds for the project; authorizing the City Manager to finance or refinance the project with tax exempt securities, if circumstances so warrant.

Subitem-B: (R-93-273) ADOPTED AS RESOLUTION R-281388

Certifying that the information contained in DEP-91-0611, in connection with the removal and replacement of sewer main on Harbor Drive, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines; declaring that the Negative Declaration reflects the independent judgement of the City of San Diego as lead agency; and that the information contained in DEP-91-0611, has been reviewed and considered by the Council.



CITY MANAGER SUPPORTING INFORMATION: As a condition of Building Permit No. W-41296, dated February 10, 1992, the developer is required to make improvements to the existing 10-inch sewer main running across Harbor Drive at Schley Street and to the existing 8-inch sewer running through its property to Sicard Street. These public sewer improvements are necessary and for the benefit of the City as a whole. These improvements include the removal of approximately 750 lineal feet of deteriorating sewer main from the existing manhole at Sicard Street going east up to the northerly property line at the Harbor Drive and Schley Street intersection. The line to be removed will be replaced by the following: approximately 145 lineal feet of new 8-inch PVC private sewer section at the westerly end of the subject property toward Sicard Street; approximately 60 lineal feet of new 8-inch PVC and approximately 90 lineal feet of new 10-inch PVC sewer mains at Harbor Drive and Schley Street intersection. The proposed agreement provides for repayment to the developer of 87.026 percent of the actual cost of design and construction. The replacement of approximately 145 lineal feet of new 8-inch PVC sewer section at the westerly end of the property is of private benefit and represents the developer's share of the project cost.

Aud. Cert. 9300147.  
WU-U-92-111.

FILE LOCATION: MEET CONT FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-139: (R-93-1058) TRAILED TO JANAURY 26, 1993

Authorizing the execution of a first amendment to the concession agreement with Kruse Concessions, Inc., for the sale and administration of water contact sports permits at lakes designated by the City, with a seven percent commission to Kruse.  
(San Carlos, Rancho Bernardo and Miramar Community Areas. Districts-5 and 7.)

CITY MANAGER SUPPORTING INFORMATION: The City and Kruse Concessions, Inc. (KCI) wish to amend the concession agreement, dated February 4, 1992 Document No. RR-279459 for the Lakes Concession. The City has asked KCI to handle additional

responsibilities at certain lakes that cater to the water contact sports (e.g. jet skiing at El Capitan and water skiing at San Vicente) programs. The additional duties include opening additional days at certain lakes, sale of the water contact sports permits, record keeping, depositing of the monies received from the sale of permits and additional labor expenses. For assuming the additional duties, the City would compensate KCI by paying them a 7 percent commission on the sale of water contact sports permits (the same rate paid on all other permits sold by KCI). Staff feels that this amendment, which would become effective retroactive to June 1, 1992, would provide just compensation to KCI for handling responsibilities which were previously handled by City staff.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A185-388.)

Mayor Golding directed that the City Manager evaluate and report back to the PF&R Committee on the potential for the possibility of using the concessionaire for providing any on-site ranger services that may be necessary. Council Member McCarty requested that the City Manager provide information concerning the questions she raised regarding the additional day for the concessionaires to work as related to the affordability of current staff.

\* ITEM-140: (R-93-1124 Rev.1) ADOPTED AS RESOLUTION R-281389

Authorizing the execution of an agreement with Luth & Turley, Inc., for general reconstructive contracting and cleanup work for damages to private property as outlined in Council Policy 400-10, and for those property damages for which the City may be responsible; authorizing the expenditure of an amount not to exceed \$700,000, consisting of \$363,300 from Water Utilities Fund 41500 and \$336,700 from Sewer Fund 41506, for providing funds for the above contract.

CITY MANAGER SUPPORTING INFORMATION: The recommendation is to approve the second year renewal of the previously approved five year agreement with the firm of Luth and Turley contractors, by Council on January 28, 1991. The renewal of the second option year is based upon the past fiscal year's overall above standard performance by the contractor, and their response to incidents reported by the City involving property damages to the public that result from City sewer and water main failures. As a matter of information, Luth and Turley, Inc. have previously responded

to the City's budget issues and voluntarily reduced all of their current fiscal year rates by two percent during the remaining three months of their present fiscal year contract with the City. It is estimated that this action resulted in estimated savings of \$10,000 to the City during this period. The renewal of the second option year of this agreement has resulted in their agreement to not increase any of the rates for services presently being charged.

Aud. Cert. 9300647.

FILE LOCATION: MEET CONT FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-141: (R-93-1090) ADOPTED AS RESOLUTION R-281390

Authorizing the execution of an agreement with National University, for the provision of employee personal computer training services, as required for an initial contract period of February 1, 1993 through June 30, 1993, with three options to renew periods beginning July 1, 1993 and ending June 30, 1996; authorizing the expenditure of an amount not to exceed \$80,187.50 from General Fund 100 (\$48,112.50) and Enterprise Fund (\$32,075), for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: More than 1,000 City of San Diego employees attend personal computer training classes each year. Prior to FY91, San Diego Data Processing Corporation (SDDPC) provided microcomputer training for the City of San Diego. Due to a mutual agreement between SDDPC and the City of San Diego, SDDPC ceased to provide microcomputer training to City of San Diego employees. After this agreement, City employees attended training offered by private corporations, from an approved list of vendors, to learn the functions of the various computer applications that the City uses and maintains. These applications include WordPerfect, DOS/Hard Drive Management, Lotus, Paradox, Windows, and LAN training for IBM PC's and Excel, PageMaker, graphics applications, 4th Dimension, and Word for Macintosh computers. A Request for Proposals (RFP) for the provision of personal computer training services at both City and

Consultant identified facilities was issued to 60 firms. The RFP was advertised in the Union-Tribune, Voice & Viewpoint, Asian Journal, La Prensa and the Daily Transcript. Ten firms responded by the deadline. All ten firms submitted responsive proposals. The three top ranked firms were asked to participate in the final interview process. The firms were evaluated by a Consultant Selection Committee composed of representatives from the Financial Management Department, Water Utilities Department, and Police Department. The evaluation criteria included cost of services, commitment to equal opportunity, computer training experience, training resources, program management, and administrative management. National University was the highest rated firm.  
WU-FM-93-081.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-142: (R-93-1129) ADOPTED AS RESOLUTION R-281391

Authorizing the execution of a sixth amendment to the agreement with Nolte and Associates for professional services required for the Point Loma Wastewater Treatment Plant Maintenance Building - Phase II; authorizing the expenditure of an amount not to exceed \$200,000 from CIP-46-086.0, Point Loma Wastewater Treatment Plant Maintenance Building Expansion - Phase II, Sewer Revenue Fund No. 41506, for this purpose. (Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Maintenance Building Expansion project at the Point Loma Wastewater Treatment Plant is presently under construction with a contractor that has been very difficult and uncooperative. Landex Construction Corporation has continually requested unwarranted claim payments and time extensions to the contract while generating an enormous amount of paperwork. In addition, Landex's actions indicate they are preparing for litigation against the City concerning alleged contract delays. As the City's representative and Construction Manager, Nolte and Associates have performed effectively in researching the facts and responding to Landex's numerous letters

and questionable claims. Nolte's efforts have been useful in reducing the amount of change orders and their documentation on the project will serve as a valuable tool to determine the validity of the contractor's allegations. Unfortunately, Nolte's services have been required beyond originally estimated need and all of the allocated funds for this project have been billed. The proposed sixth amendment with Nolte will provide additional funding to maintain the high level of construction management services that are needed as a result of the actions by this contractor. The City Attorney is aware of the circumstances and agrees that Nolte's efforts must be sustained. Nolte is committed to assisting in this difficult situation by providing the additional work at a reduced rate.  
WU-U-93-056.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: A389-400.)

MOTION BY HARTLEY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-143: (R-93-1121) ADOPTED AS RESOLUTION R-281392

Authorizing the execution of a subordination agreement with Strongly Oriented for Action of San Diego (SOFA), and Wells Fargo Bank, N.A., in connection with the leasehold property at 7527 Cuvier Street, La Jolla. (La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: SOFA, a nonprofit organization, entered into a 50-year lease agreement with the City in 1977 to construct and manage eight low income apartment units at 7527 Cuvier Street in La Jolla. Their present balloon mortgage on the units will become due and payable in January 1993. SOFA has applied to Wells Fargo Bank for a seven year loan with a lower interest rate and other more flexible terms. The final proposed loan amount will be approximately \$350,000 which will retire the existing loan, provide \$30,000 for unit rehabilitation and cover loan costs. The SOFA lease provides that rents, which are regulated by HUD, will be kept at a rate that will at least cover the operational expenses of the property. If the rents exceed operational expenses, the City will receive this money, designated as "Excess Rents." The loan commitment is contingent on the City's agreement to subordinate

the Excess Rental Provisions of the Lease to the Lien of the Deed of Trust. The City does not in the normal course of lease negotiations subordinate any of its interest for lessee financing. However, in this case staff believes the lender's request for subordination can be approved in that the City's interest in the property will not be at risk, just its right to receive excess rents which to date have not been generated. The Real Estate Advisory Committee met on this issue and recommends that the City approve this subordination agreement.

FILE LOCATION: LEAS - Strongly Oriented for Action of  
San Diego (SOFA), and Wells Fargo Bank,  
N.A. LEAS FY93-1

COUNCIL ACTION: (Tape location: B098-112.)

MOTION BY STEVENS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-144: (R-93-968) ADOPTED AS RESOLUTION R-281393

Authorizing the execution of a two-year lease agreement with The Southland Corporation, for 2,400 square feet of office space at 4326 Euclid Avenue, for use as a Police Department Community Relations Office, at an initial rent of \$1,584 per month; authorizing the expenditure of an amount not to exceed \$19,008 from Police Department Fund 100, Dept. 110, Org. 485, Object Account 4682, Job 111482, to cover costs for the period of July 1, 1992, through June 30, 1993.  
(City Heights Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: In 1987, the City executed a lease with Southland Corporation (lessor) for a community relations office at 4326 Euclid Avenue for the Police Department for a term ending in July 1992. The City presently pays \$19,008 per year for 2,400 square feet, which equates to 66 cents per square foot per month. The lessor and the Police Department now desire to renew the lease at the current rate for two more years with no escalation in the rent. The proposed rental rate equates to 66 cents per square foot and is well below the market rate for ground level rents for similar accommodations.  
Aud. Cert. 9300505.

FILE LOCATION: LEAS - The Southland Corporation LEAS

FY93-1

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

\* ITEM-145: (R-93-1043) ADOPTED AS RESOLUTION R-281394

Authorizing the Auditor and Comptroller to accept a  
loan repayment of \$354,236 from the Redevelopment  
Agency, Gateway Center East Project Area; and to  
appropriate \$354,236 to be loaned back to the  
Redevelopment Agency, Southcrest Redevelopment Area, to  
augment the project area and Southcrest Loan Repayment  
Fund for National City Mitigation loan; authorizing the  
transfer of \$354,236 from the contribution to the  
Redevelopment Agency Fund (Fund 10227) to the  
Redevelopment Agency for the above purpose.  
(See Report from SEDC. District-4.)

Aud. Cert. 9300586.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A185-388.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-200: (O-93-91) INTRODUCED, TO BE ADOPTED FEBRUARY 8,  
1993

Introduction of an Ordinance amending Chapter II,  
Article 4, Division 5, of the San Diego Municipal Code  
by amending Division 5, Section 24.0501 relating to  
Disability Retirements for the City Employees'  
Retirement System.

SUPPORTING INFORMATION: The 1981 Pension Plan did not initially  
provide for disability retirement for safety or general members.  
When eligibility was added, exclusions for pre-existing  
conditions remained. In 1988 (Safety) and 1989 (General), 1981

Pension Plan members were brought back into San Diego Employees' Retirement System, with certain exclusions, one of which was pre-existing conditions. However, the wording of the ordinance was such that City employment during the 1981 pension plan's existence was a pre-existing period. This was not the intent of the meet and confer process, and a correction is necessary. Eligibility for disability retirement for periods of City employment which were under the 1981 pension plan would be allowed under the proposed change. As a change in benefits, this matter has been put to a vote of the membership of CERS, the results of which were 4,043 yes and 405 no. The system's actuary has indicated that there will be no cost to this change.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A389-400.)

MOTION BY HARTLEY TO INTRODUCE. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-201: (O-93-109) HEARING HELD

First public hearing in the matter of:  
An Ordinance amending Ordinance O-17781 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1992-93 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," by amending the personnel authorization of the Retirement Department to exempt the position of Investment Officer from the Classified Service; and establishing a salary rate therefor.

SUPPORTING INFORMATION: Effective in the FY 1991-92 Budget, the City Council approved the addition of an Investment Officer position to the Retirement Department. the Retirement Administrator is requesting that this position be exempted from the Classified Service in accordance with Section 117 of the City Charter. The duties and responsibilities of the Investment Officer include, but are not limited to, the following: (1) Daily administration and oversight of a \$1.1 billion investment program; (2) Negotiation of and administration of all investment related contracts; (3) Monitoring and evaluating the performance of contractual investment managers and investment services; (4) Develops and formulates investment procedures and policies for approval by the San Diego City Employees' Retirement System (SDCERS) Board of Administration; and 5) Determines and directs



the sale and redistribution of trust fund assets in accordance with investment policy guidelines approved by the SDCERS' Board of Administration. The Civil Service Commission reviewed the exemption of this position from the Classified Service on December 10, 1992. The Commission found that the administrative and managerial duties and responsibilities of this position meet the requirements and intent of Charter Section 117 for exemption from the Classified Service.

NOTE: Today's action is the first public hearing. See Item 330 on the docket of Tuesday, January 26, 1993 for the second public hearing and introduction and adoption of the Ordinance.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A389-400.)

MOTION BY HARTLEY TO APPROVE. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-202: (R-93-903) ADOPTED AS RESOLUTION R-281395

(Continued from the meeting of January 4, 1993, Item 104, at Councilmember Hartley's request, for further review.)

Inviting bids for the Construction of Inspiration Point Parking Lot on Work Order No. 112097; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$219,594 from CIP-21-834.0, Balboa Park/Mission Bay Park Requirements, San Diego Facility and Equipment Leasing Construction Fund 91101, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, within the San Diego Facility and Equipment Leasing Construction Fund.  
(BID-K3536/93)  
(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Inspiration Point Parking Lot is located at the southeast corner of Park Boulevard and Presidents Way, at the Old Naval Hospital Site, in the Balboa Park Community Plan area. The dire condition of the existing parking lot has made it difficult for the current lessee to renew

their insurance policy. Unless the deficiencies are corrected, the lessee may not be able to renew their required insurance policy. Also, the City occasionally issues special event permits for this site. Event promoters have also expressed difficulty with obtaining insurance coverage due to the condition of the lot. The proposed project will provide for the complete resurfacing and restripping of the lower parking area. The proposed configuration will maintain the existing 824 parking spaces presently provided.

Aud. Cert. 9300384.

FILE LOCATION: W.O. 112097 CONT - Superior Ready Mix  
Concrete L. P. CONT FY93-1  
COUNCIL ACTION: (Tape location: A389-400.)

MOTION BY HARTLEY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-S400: (R-93-1159) ADOPTED AS RESOLUTION R-281396

Declaring the existence of a continuing State of  
Emergency.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A180-185.)

MOTION BY McCARTY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-S401: (R-93-1218) ADOPTED AS RESOLUTION R-281397

Adopting the schedule of meetings for the City Council and Standing Committees of the City Council for the period of February 1, 1993 through December 31, 1993. (See Committee Consultant Analysis RULES-93-1.)

COMMITTEE ACTION: This item will be reviewed at the RULES Committee meeting scheduled at 1:00 p.m. on Monday, January 25, 1993. The Committee recommendations will be forwarded to the full Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B113-250.)

MOTION BY STALLINGS TO ADOPT THE RECOMMENDATIONS OF THE RULES COMMITTEE. APPROVE THE RECOMMENDATIONS BY COUNCIL MEMBER HARTLEY TO MOVE THE PS&S MEETING SCHEDULED FOR OCTOBER 28, 1993 TO OCTOBER 27, 1993; AND TO MOVE THE PS&S MEETING SCHEDULED FOR JULY 29, 1993 TO JULY 28, 1993 AT 2:00 P.M. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-S402: (R-93-1219) ADOPTED AS RESOLUTION R-281398

Adopting the Appointment Order of the Rules Committee as it relates to the appointment of members and Vice Chairs of the four Standing Committees of the Council, for the period commencing 2/1/93 through 12/7/93.  
(See Committee Consultant Analysis RULES-93-1.)

COMMITTEE ACTION: This item will be reviewed at the RULES Committee meeting scheduled at 1:00 p.m. on Monday, January 25, 1993. The Committee recommendations will be forwarded to the full Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B113-250.)

MOTION BY STALLINGS TO ADOPT THE RECOMMENDATIONS OF THE RULES COMMITTEE WITH THE ADDITION OF THE NOMINATION OF COUNCIL MEMBER McCARTY AS VICE CHAIR TO THE PF&R COMMITTEE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-S403: (R-93-1220) ADOPTED AS RESOLUTION R-281399

Appointing two Councilmembers to serve on the Housing Commission for the period commencing 2/1/93 through 12/7/93.  
(See Committee Consultant Analysis RULES 93-1.)

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COMMITTEE ACTION: This item will be reviewed at the RULES Committee meeting scheduled at 1:00 p.m. on Monday, January 25, 1993. The Committee recommendations will be forwarded to the full Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B113-250.)

MOTION BY STALLINGS TO ADOPT THE RECOMMENDATIONS OF THE RULES COMMITTEE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-S404: (R-93-1096) ADOPTED AS RESOLUTION R-281400

Adopting the legislative sponsorship recommendations contained in Department of Legislative Services Report DLS-93-1, dated January 6, 1993.  
(See Department of Legislative Services Reports DLS-93-1 and DLS-93-2.)

COMMITTEE ACTION: This item will be reviewed at the RULES Committee meeting scheduled at 1:00 p.m. on Monday, January 25, 1993. The Committee recommendations will be forwarded to the full Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B113-250.)

MOTION BY STALLINGS TO ADOPT THE RECOMMENDATIONS OF THE RULES COMMITTEE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 3:16 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A254).